

OCT 27 2000

PTO/SB/29 (8/98)

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# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

*Submit an original, and a duplicate for fee processing.*

*(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))*

*CHECK BOX, if applicable:*

DUPLICATE

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**OFFICE OF PETITIONS**

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No. of Prior Application	200099USA
First Named Inventor	ZIEROLF, JOSEPH A.
Examiner Name	WONG, A.
Group / Art Unit	2735
Express Mail Label No.	EK 742 573 321US

This is a request for a  continuation or  divisional application under 37 C.F.R. § 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09 / 286,650,  
filed on April 6, 1999, entitled METHOD AND APPARATUS FOR DETERMINING POSITION IN A  
PTP

## NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371.

A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

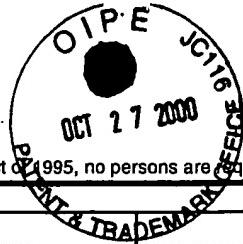
**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

1.  Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53 (d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....  
.....  
.....
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent,(PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed: 10/31/2000 SDUONG 00000026 131505 09286650
 

01 FC:131	710.00 CH
02 FC:102	320.00 CH
03 FC:103	450.00 CH
- a.  PTO-1449
- b.  Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.



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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (l))	45 -20* =	25	x \$ 18 =	\$ 450
	INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (l))	7 -3** =	4	x \$ 80 =	320
	MULTIPLE DEPENDENT CLAIMS (if applicable)(37 C.F.R. § 1.16(d))			+ \$ _____ =	
				BASIC FEE (37 C.F.R. § 1.16)	710
			Total of above Calculations =		1480
	Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28).				
	* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.			TOTAL =	1480

## 6. Small entity status:

- a.  A small entity statement is enclosed, if (b) and (c) do not apply.
- b.  A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c.  Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 13 - 1505:**RECEIVED**

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- a.  Fees required under 37 C.F.R. § 1.16.
- b.  Fees required under 37 C.F.R. § 1.17.
- c.  Fees required under 37 C.F.R. § 1.18.

8.  A check in the amount of \$ \_\_\_\_\_ is enclosed.9.  New Attorney Docket Number, if desired \_\_\_\_\_*[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]*10. a.  Receipt For Facsimile Transmitted CPA (PTO/SB/29A)b.  Return Receipt Postcard (Should be specifically itemized, See MPEP 503)11.  Other: Petition for Withdrawal from Issue; Petition Routing Slip

**NOTE:** The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

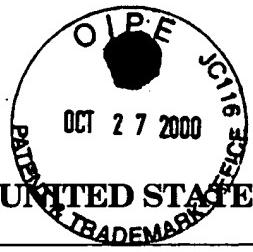
**12. NEW CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number or Bar Code Label	.....	or	<input type="checkbox"/> New correspondence address below
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Address			
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Country	Telephone	Fax	

**13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Jack E. Ebel
Signature	
Registration No. (Attorney/Agent)	28,148
Date	October 27, 2000



119  
J/K

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Zierolf, Joseph A.

Art Unit: 2735

Serial No.: 09/286,650

Filing Date: April 6, 1999

Examiner: Wong, A.

Title: METHOD AND APPARATUS FOR  
DETERMINING POSITION IN A  
PIPE

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Attorney Docket No.: 200099 USA

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**PRELIMINARY AMENDMENT  
SUBMITTED WITH CPA APPLICATION  
UNDER 37 CFR 1.53(d)**

**October 27, 2000**

Assistant Commissioner for Patents  
BOX CPA  
Washington, D.C. 20231

Sir:

This Preliminary Amendment is submitted with a Continued Prosecution Application (CPA) being filed under 37 CFR 1.53(d). Please amend the captioned case as follows.

In the Claims

21. (added) A method for determining a position of a tool in a fluid transmission line comprising:

providing a radio frequency transmitter and a radio frequency receiver on the tool;

providing a plurality of radio identification devices in the line at predetermined intervals therealong, each device configured to receive a first signal from the transmitter and to transmit a unique second signal responsive to reception of the first signal;